

REMARKS

Claims 1, 2, and 4-10 are pending in this application. Claim 3 has been canceled. Claims 7-10 have been newly added. Reconsideration of the rejections in view of these amendments and the following remarks is respectfully requested.

Allowable Claims

Applicants gratefully acknowledge that claims 3 and 5 are allowable if rewritten to overcome the rejection under 35 USC §112, second paragraph and to include all of the limitations of the base claim and any intervening claims.

Rejections under 35 USC §112, Second Paragraph

Claims 1, 2, 3, and 6, were rejected under 35 USC §112, second paragraph, as being indefinite.

The claims have been amended to overcome the rejections.

Rejections under 35 USC §103(a)

Claims 1, 2 and 4 were rejected under 35 USC §103(a) as being obvious over **Kume et al** (EP 0 979 723 A2).

Claim 1 has been amended to “A high-frequency heat-sealing apparatus for making a container shaping a packing material of a laminate including a thermoplastic resin layer and a conductive material layer in a tubular shape, said packing material defining a longitudinal direction and a transverse direction, and for heat-sealing said tubular packing material

transversely together with a fluid and cutting an end portion of the container, thereby defining an sealed zone, interior side, outer side and cutting side with respect to the container, comprising: a first pressing member; and a second pressing member openable and closable together with said first pressing member, wherein, each of the first and second pressing members having a flat action face, wherein one of said first and second pressing members including a high-frequency heating mechanism, a surface of said heating mechanism being flush with the action face and defining a portion of the action face, wherein a groove is formed on the action face of the pressing member which had been equipped with said high-frequency heating mechanism, said groove being inscribed in the end portion inside the sealed zone, and wherein a flash portion for a molten thermoplastic resin is formed adjacent to the outer side on the cutting side of the sealed zone, wherein the groove extends over the whole area of a transverse direction along the container's interior side of the sealed zone, and includes a partial curve in the end portion," incorporating the content of claim 3, which has been indicated by the Examiner as allowable.

Thus, claim 1 has become in condition for allowance. Claims 2 and 4, depending from claim 1, also are in condition for allowance.

Claims 6 was rejected under 35 USC §103(a) as being obvious over Kume et al (EP 0 979 723 A2) in view of Hayashi (EP 0 990 587).

Hayashi was cited for allegedly disclosing a band-shaped magnetic member. Such disclosure, however, does not remedy the deficiencies of Kume et al. Therefore, claim 6, depending from claim 1 also patentably distinguish over Kume et al and Hayashi.

New Claims

Claims 7-10 have been added. These claims depend from claim 5, which has been allowed. These claims also are in condition for allowance patentably distinguishing over Kume et al and Hayashi.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 50-2866.

Respectfully submitted,

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